

CHANGE

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

1500.37 CHG 1

1/26/94

ACCEPTANCE OF PAYMENTS FROM NON-FEDERAL
SUBJ: SOURCES FOR OFFICIAL TRAVEL

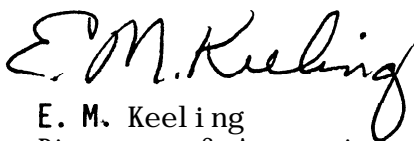
1 PURPOSE. This order prescribes procedures for requesting approval for accepting payments by non-Federal sources in accordance with the Code of Federal Regulations, **41 CFR Part 304.1.**

2 DISTRIBUTION. This order is distributed to branch level and above in the FAA headquarters and regions; to section level and above at the FAA Technical Center and the Aeronautical Center; and to resident directors. A limited distribution is made to all **field** offices and facilities; -and copies are furnished to addressees on the **ZAA-388** distribution list.

4 EXPLANATION OF CHANGES. This order revises the wording in FAA Order **1500.37**, par. **4, b(2).**

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Director of Accounting

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8/3/93

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3 BACKGROUND. The General Services Administration (GSA) has implemented Section 302 of the Ethics Reform Act of 1989, P.L. 101-194 which expands the circumstances under which agencies may accept payment to employees for official travel. Previously the limited exceptions for acceptance of such payments were as follows:

a. Pursuant to 5 U.S.C. 4111, travel to a training seminar, meeting, or conference sponsored by a non-profit organization which is granted tax-exempt status under Section 5019c(3) of the Internal Revenue Code could be paid for by that entity:

b Foreign travel paid by a foreign government under the foreign gift statute, 5 U.S.C. 7342; and,

c. Pursuant to the exercise of the Administrator's gift acceptance authority found in 49 U.S.C. 326, as amplified by Order 2700.20A, Gifts and Bequests.

The implementation by GSA of the applicable provisions of the Ethics Reform Act of 1989 replaces the gift authority for attendance at meetings or similar functions but leaves a. and b. intact. The gift authority may still be used to accept travel payments in circumstances not covered by the GSA rule.

4. PROCEDURES.

a. Approval Authority Limited. Acceptance of payment of employee and spouse travel from a non-Federal source must be approved in advance by the Administrator after determining that the payment is:

(1) For travel relating to official duties.

(2) For attendance at a meeting or similar function.

(3) From a non-Federal source that is not disqualified on conflict of interest grounds.

(4) If the source has interests that may be affected by the performance or non-performance of the employee's duties, then it is a **"conflicting"** non-Federal source. In this case, it must be determined that the **FAA's** interest in attendance at the event outweighs the potential conflict considering the following factors:

(a) The importance of the travel for the FAA.

(b) The nature and sensitivity of any pending matter affecting the interests of the conflicting non-Federal source.

(c) The significance of the employee's role in any such matter.

(d) The purpose of the meeting or similar function.

(e) The identity of other expected participants.

(f) The value and character of the travel benefits offered by the source, and any other relevant factors.

(5) If **reimbursement** of travel costs are offered for the employee's spouse, that travel will contribute to the accomplishment of the purpose of the employee's **travel**.

b Requests for approval. All requests for approval to accept payments for **travel must be forwarded to the Office of Chief Counsel, General Legal Services Division, AGC-100**, for review and forwarding to the Administrator for approval.

(1) , The format for the request and applicable declarations are in appendix 1.

(2) The organization requesting approval will forward a copy of all requests approved by the Administrator to the Office of Accounting, **Financial Information Division, AAA-500, and AGC-100.**

(3) **AAA-500** will establish a file for **each** approved request.